IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

S.A.No. 152 of 2000(B)

AS.77/1990 of I ADDL.SUB COURT, KOZHIKODE
OS.166/1986 of ADDL.MUNSIFF'S COURT,KOZHIKODE-II

APPELLANT: 1ST APPELLANT: 2ND DEFENDANT:

THENNATTILLATH LAKSHMI, W/O.GOPALAN,
RESIDING IN VELIPRAM AMSOM AND DESOM OF
KOZHIKODE TAUK.

BY ADV. SRI.A.P.CHANDRASEKHARAN (SR.)
SMT.PRABHA R.MENON
SRI.PUSHPARAJAN KODOTH
SRI.M.KRISHNAKUMAR
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS: PLAINTIFF/dEFENDANTS 1 & 3 TO 6:
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1. GANAPATHY CHETTIAR, S/O.VALIYA VEETTIL PARU AMMA,
VELIPRAM AMSOM DESOM, KOZHIKODE TALUK.

2. THENNATTILLATH GANGADHARAN, S/O.GOPALAN,
AZHINJALAM AMSOM DESOM OF ERNAD TALUK.

3. MUKUNDAN ALIAS SUNDHARAN, S/O.GOPALAN,
RESIDING IN VELIPRAM AMSOM AND DESOM OF
KOZHIKODE TALUK.

4. T.SHOBHANA, D/O.GOPALAN, RESIDING AT -DO-

5. T.GEETHA, D/O.GOPALAN, RESIDING AT -DO-

6. T.USHA, D/O.GOPALAN, RESIDING AT -DO-

R1 BY ADV. SRI.P.KESAVAN NAIR
SRI.K.G.CLEETUS

THIS SECOND APPEAL HAVING COME UP FOR ORDERS ON 18/12/2007,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.T.SANKARAN, J.

S.A. NO. 152 OF 2000
and
C.M.P.NO. 406 OF 2000

Dated this the 18th December, 2007

JUDGMENT

In spite of granting time to cure the defects, the appellant has not taken steps to cure the defects. On 3.12.2007, ten days' time was granted as last chance to cure the defects. Even today, the defects are not cured. Learned counsel for the appellant prays for further time. The request is refused. C.M.P.No.406 of 2000, the petition for condonation of the delay in filing the Second Appeal is, therefore, dismissed.

Consequent on the dismissal of the petition for condonation of delay in filing the Second Appeal, the Second Appeal is also dismissed. However, liberty is granted to the appellant to file an application within one month to restore the appeal.

(K.T.SANKARAN)
Judge

ahz/

K.T.SANKARAN, J.

S.A.NO. 152 OF 2000 B
and
C.M.P.NO. 406 OF 2000

JUDGMENT

18th December, 2007